

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C.20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 17 August 2000 (17.08.00)	
International application No. PCT/EP99/09717	Applicant's or agent's file reference 4588
International filing date (day/month/year) 09 December 1999 (09.12.99)	Priority date (day/month/year) 08 January 1999 (08.01.99)
Applicant HEIRBAUT, Guido et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 23 June 2000 (23.06.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Charlotte ENGER

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

MESSELY, Marc
N.V. Bekaert S.A.
Bekaertstraat 2
B-8550 Zwevegem
BELGIQUE

Date of mailing (day/month/year)

17 October 2000 (17.10.00)

Applicant's or agent's file reference

4588

IMPORTANT NOTIFICATION

International application No.

PCT/EP99/09717

International filing date (day/month/year)

09 December 1999 (09.12.99)

1. The following indications appeared on record concerning:

☐

the applicant

☐

the inventor

☒

the agent

☐

the common representative

Name and Address

MESSELY, Marc
4011 - D.I.E.
Bekaertstraat 2
B-8550 Zwevegem
Belgium

State of Nationality

State of Residence

Telephone No.

++ 32 56 76 68 97

Facsimile No.

++ 32 56 76 69 96

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐

the person

☐

the name

☒

the address

☐

the nationality

☐

the residence

Name and Address

MESSELY, Marc
N.V. Bekaert S.A.
Bekaertstraat 2
B-8550 Zwevegem
Belgium

State of Nationality

State of Residence

Telephone No.

++ 32 56 76 68 97

Facsimile No.

++ 32 56 76 69 96

Teleprinter No.

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒

the receiving Office

☐

the designated Offices concerned

☐

the International Searching Authority

☒

the elected Offices concerned

☒

the International Preliminary Examining Authority

☐

other:

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

S. De Michiel

Telephone No.: (41-22) 338.83.38

REC'D 28 NOV 2000

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 4588/WS/cvb	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP99/09717	International filing date (day/month/year) 09/12/1999	Priority date (day/month/year) 08/01/1999
International Patent Classification (IPC) or national classification and IPC D04B1/14		
Applicant N.V. BEKAERT S.A. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 23/06/2000	Date of completion of this report 24.11.2000
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Sterle, D Telephone No. +49 89 2399 2071 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP99/09717

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-11 as originally filed

Claims, No.:

1-18 as originally filed

Drawings, sheets:

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP99/09717

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 1-18
	No: Claims
Inventive step (IS)	Yes: Claims 1-18
	No: Claims
Industrial applicability (IA)	Yes: Claims 1-18
	No: Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

Comments concerning section V:

1. The closest prior art is described in EP-A-0 477 785 (Fig.5) and WO-A-9 401 373 (see Example) describing respectively a knitted fabric comprising fibres, at least part of these fibres being metal fibres, and either having up to 11,8 coursewise stitches per cm or up to 6,75 walewise stitches in conjunction with about 5,8 coursewise stitches, the latter stitch structure corresponding to a stitch density of about 39 stitches per square centimeter. The subject-matter defined by claim 1 differs from this prior art by said fabric having 90 or more stitches per square centimeter.

The subject-matter of independent claims 1, 17, 18 would therefore appear to meet the requirements of Article 33(2) PCT.

2. None of the cited documents unambiguously discloses the feature of a stitch density greater than 90 stitches per square centimetre, all especially since the loop sizes or row spacings for fabric knitted with a specified gauge on a knitting machine were not indicated. As can be seen, for instance, from Figs.1 and 5 of EP-A-0 477 785, row spacings amount to about twice the coursewise extension of a stitch loop, so no hint towards a number of stitches greater than 90 per square centimetre can be deducted from the content of this document. Due to lack of indication, inclusion of this feature in a fabric and method otherwise according to EP-A-0 477 785 or WO-A-9 401 373 is consequently not considered obvious.

The subject-matter defined by independent claims 1, 17, 18 would therefore appear to equally meet the requirements of Article 33(3) PCT.

3. The embodiments of the invention according to subclaims 2 to 16 contain all the features of a fabric according to claim 1. As a consequence, the subject-matter of these claims would also appear to meet the requirements of both the Articles 33(2) and (3) PCT.
4. The subject-matter according to claims 1 to 18 would be susceptible to industrial application and thus meet the requirements of Article 33(4) PCT.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/EP99/09717

Comments concerning section VII:

1. In terms of knitting gauge suggested for a sheet for glass shaping moulds and in also in terms of the underlying technical problem, EP-A-0 477 785 (see column 6, lines 40-44) constitutes the closest prior art. Since this document is not identified in the introductory portion of the description, the application would appear not to meet the requirements of Rule 5.1(a)(ii) PCT.
2. Contrary to the requirements of Rule 6.3(b) PCT, the independent claim 1 is not cast in the two-part form with respect to the closest prior art.

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 4588	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 99/ 09717	International filing date (day/month/year) 09/12/1999	(Earliest) Priority Date (day/month/year) 08/01/1999
Applicant N.V. BEKAERT S.A. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1, 4

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP 99/09717

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

LINE 3 -...CLOTH(12)...MOULD(1)...GLASS(14)

INTERNATIONAL SEARCH REPORT

Int'l. Application No

PCT/EP 99/09717

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 D04B1/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 D04B C03B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 477 785 A (NIPPON SEISEN CO., LTD.) 1 April 1992 (1992-04-01) column 3, line 25 -column 4, line 7; claim 1; figures 1-5	1,12-18
A	EP 0 502 756 A (SAINT-GOBIN VITRAGE INTERNATIONAL) 9 September 1992 (1992-09-09)	
A	WO 97 08108 A (N.V. BEKAERT S.A.) 6 March 1997 (1997-03-06)	
A	WO 97 04152 A (N.V. BEKAERT S.A.) 6 February 1997 (1997-02-06) cited in the application	
	-/-	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search

10 March 2000

Date of mailing of the international search report

20/03/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Van Gelder, P

INTERNATIONAL SEARCH REPORT

Initial International Application No

PCT/EP 99/09717

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 94 01373 A (N.V. BEKAERT S.A.) 20 January 1994 (1994-01-20) cited in the application</p>	

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 99/09717

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 477785 A	01-04-1992	DE 69128227 D DE 69128227 T	02-01-1998 12-03-1998
EP 502756 A	09-09-1992	FR 2673424 A DE 69213790 D DE 69213790 T ES 2094312 T JP 4338123 A US 5388432 A	04-09-1992 24-10-1996 10-04-1997 16-01-1997 25-11-1992 14-02-1995
WO 9708108 A	06-03-1997	BE 1009548 A CN 1196712 A DE 69605310 D EP 0846086 A JP 11511513 T	06-05-1997 21-10-1998 30-12-1999 10-06-1998 05-10-1999
WO 9704152 A	06-02-1997	BE 1009485 A CN 1191001 A EP 0839221 A JP 11509278 T US 6025282 A	01-04-1997 19-08-1998 06-05-1998 17-08-1999 15-02-2000
WO 9401373 A	20-01-1994	BE 1006069 A AU 4301893 A	03-05-1994 31-01-1994